

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3
4 Ryan C. Bundy,
5 Plaintiff

2:17-cv-01127-JAD-GWF

Order

6 v.

7 United States of America Inc., et al.,
8 Defendants
9

10 I previously screened pro se plaintiff Ryan Bundy's claims, and I allowed some claims to
11 proceed, dismissed some with prejudice, and dismissed some others with leave to amend.¹
12 Bundy asked me to reconsider some of the prejudicial dismissals,² and I granted his motion in
13 part, allowing him to file a second-amended complaint.³ I gave Bundy until December 11, 2017,
14 to file the second-amended complaint, and I warned him that, if he failed to do so, this action
15 would proceed on his injunctive-relief claim against the United States, CoreCivic Doe
16 Defendants, and Warden Collins in her official capacity for alleged constitutional violations
17 (count 8); assault-and-battery claim against the CoreCivic Doe Defendants once he identified the
18 employees by name and substituted them in as defendants (count 4); and on a 42 U.S.C. §
19 1985(2) claim against CoreCivic and USMS Doe Defendants once he identified the employees
20 by name and substituted them in as defendants. The deadline has now passed, and Bundy has not
21 filed a second-amended complaint. This action will thus proceed as warned.

22 As another matter, it appears from the Court's records that Bundy no longer resides at the
23
24

25 _____
26 ¹ ECF No. 13.

27 ² ECF No. 14.

28 ³ ECF No. 16.

1 address on file—the Court’s last mailing to him was returned as undeliverable.⁴ Local Rule IA 3-
2 1 requires a “pro se party [to] immediately file with the court written notification of any change
3 of mailing address, email address, telephone number, or facsimile number. The notification must
4 include proof of service on each opposing party or the party’s attorney. Failure to comply with
5 this rule may result in the dismissal of the action, entry of default judgment, or other sanctions as
6 deemed appropriate by the court.”⁵ Bundy must update his address by January 18, 2018. If he
7 fails to do so by this court-ordered deadline, this action will be dismissed with prejudice, and this
8 case will be closed.

9 **Conclusion**

10 Accordingly, IT IS HEREBY ORDERED that this action may proceed on Bundy’s (1)
11 injunctive-relief claim (count 8), (2) assault-and-battery claim (count 4), and (3) conspiracy claim
12 under 42 U.S.C. § 1985(2).

13 The **Clerk of Court** is directed to **ISSUE SUMMONSES** for Defendants United States,
14 CoreCivic, and Warden Collins, and **DELIVER** the summonses to the U.S. Marshal for service.
15 The **Clerk of Court** is also directed to **SEND to Bundy 3 USM-285 forms**. The **Clerk of**
16 **Court** is directed to **SEND** a copy of the amended complaint [**ECF No. 8-1**] and a copy of **this**
17 **order** to the U.S. Marshal for service on the defendants.

18 Bundy will have until January 18, 2018, to give to the U.S. Marshal the required USM-
19 285 forms with relevant information for each defendant on each form. Within 20 days after
20 receiving from the U.S. Marshal a copy of the USM-285 forms showing whether service has
21 been accomplished, Bundy must file a notice with the Court identifying which defendants were
22 served and which were not served, if any. If Bundy wishes to attempt service again on any
23 unserved defendants, then he must file a motion specifying the unserved defendant along with a
24 detailed address for each defendant and whether some other manner of service should be
25 attempted.

26 _____
27 ⁴ ECF No. 17.

28 ⁵ L.R. IA 3-1.

1 IT IS FURTHER ORDERED that **Bundy must SERVE upon defendants** or, if
2 appearance has been entered by counsel, upon the attorney(s), **a copy of every pleading, motion,**
3 **or other document submitted for consideration by the Court.** Bundy must include with the
4 original paper submitted for filing a certificate stating the date that a true and correct copy of the
5 document was mailed to the defendants or counsel for the defendants. The Court may disregard
6 any paper received by a district judge or a magistrate judge that has not been filed with the clerk,
7 and any paper received by a district judge, magistrate judge or the clerk which fails to include a
8 certificate of service.

9 IT IS FURTHER ORDERED that Bundy must **UPDATE HIS ADDRESS** with the Court
10 **by January 18, 2018.** Failure to do so will result in **DISMISSAL** of this case **with prejudice**
11 **without further prior notice.**

12 DATED: December 18, 2017.

13 
14 U.S. District Judge